

HOUSE BILL NO. 173

INTRODUCED BY D. HAINES

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE STATUTORY MAXIMUM FIRE PROTECTION ASSESSMENT FEES; AMENDING SECTION 76-13-201, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 76-13-201, MCA, is amended to read:

"76-13-201. Duty of owner to protect against fire. (1) An owner of land classified as forest land by the department shall protect against the starting or existence and suppress the spread of fire on that land. This protection and suppression must be in conformity with reasonable rules and standards for adequate fire protection adopted by the department.

(2) If the owner does not provide for the protection and suppression, the department may provide it at a cost to the landowner of not more than ~~\$30~~ \$40 for each landowner in the protection district and of not more than an additional ~~20~~ 25 cents per acre per year for each acre in excess of 20 acres owned by each landowner in each protection district, as necessary to yield the amount of money provided for in 76-13-207. The owner of the land shall pay the charge approved by the department in accordance with part 1 and this part to the department of revenue. Payments to the department of revenue are due on or before November 30 of each year.

(3) Other charges may not be assessed to a participating landowner except in cases of ~~proven~~ proved negligence on the part of the landowner or the landowner's agent."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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